Document 14

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

LIFE ENRICHMENT FOUNDATION, individually and on behalf all others similarly situated,

Plaintiff,

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY

J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

MICHAEL J. SAVENA, individually and on behalf of all others similarly situated,

Plaintiff,

v.

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

[Additional Captions on Following Page]

CIVIL ACTION No. 07cv9633 (LBS)

CIVIL ACTION No. 07cv9837 (LBS)

MOTION TO ADMIT COUNSEL PRO HAC VICE

CIVIL ACTION No. 07cv10984 (LBS)

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

ROBERT R. GARBER, individually and on behalf of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

JAMES CONN, individually and on behalf of all others similarly situated,

Plaintiff,

V.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, JEFFREY N. EDWARDS, LAWRENCE A. TOSI, ARMANDO M. CODINA, VIRGIS W. COLBERT, ALBERTO CRIBIORE, JOHN D. FINNEGAN, JUDITH MAYHEW JONAS, AULANA L. PETERS, JOSEPH W. PRUEHER, ANN N. REESE, and CHARLES O. ROSSOTTI,

Defendants.

CIVIL ACTION No. 07cv11080 (LBS)

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern District of New York, I, Joel B. Strauss, a member in good standing of the Bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of Lawrence J. Lederer, Arthur M. Stock and Lane L. Vines, of the law firm of Berger & Montague, P.C., 1622 Locust Street, Philadelphia, PA 19103 (Phone No.: 215/875-3000; Fax No: 215/875-4604).

As set forth in the accompanying Affidavit of Joel B. Strauss in support hereof:

- -- Lawrence J. Lederer is a member in good standing of the Bars of the Commonwealth of Pennsylvania and the District of Columbia. There are no pending disciplinary proceeding against Lawrence J. Lederer in any State or Federal court;
- -- Arthur M. Stock is a member in good standing of the Bar of the Commonwealth of Pennsylvania. There are no pending disciplinary proceeding against Arthur M. Stock in any State or Federal court; and
- -- Lane L. Vines is a member in good standing of the Bars of the Commonwealth of Pennsylvania and the State of New Jersey. There are no pending disciplinary proceeding against Lane L. Vines in any State or Federal court.

Dated: February <u>\$\langle\$</u>, 2008 New York, New York

Respectfully submitted,

Joel B. Strauss, Esq.

Kaplan Fox & Kilsheimer LL LLP 850 Third Avenue, 14th Floor New York, New York 10022

Telephone: (212) 687-1980 Facsimile: (212) 687-7714

Attorneys for the State Teachers' Retirement System of Ohio

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

LIFE ENRICHMENT FOUNDATION, individually and on behalf all others similarly situated,

CIVIL ACTION No. 07cv9633 (LBS)

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

MICHAEL J. SAVENA, individually and on behalf of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

[Additional Captions on Following Page]

CIVIL ACTION No. 07cv9837 (LBS)

AFFIDAVIT OF JOEL B. STRAUSS IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE

CIVIL ACTION No. 07cv10984 (LBS)

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

ROBERT R. GARBER, individually and on behalf of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

JAMES CONN, individually and on behalf of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, JEFFREY N. EDWARDS, LAWRENCE A. TOSI, ARMANDO M. CODINA, VIRGIS W. COLBERT, ALBERTO CRIBIORE, JOHN D. FINNEGAN, JUDITH MAYHEW JONAS, AULANA L. PETERS, JOSEPH W. PRUEHER, ANN N. REESE, and CHARLES O. ROSSOTTI,

Defendants.

CIVIL ACTION No. 07cv11080 (LBS)

State of New York)
) SS:
County of New York)

Joel B. Strauss, being duly sworn, hereby deposes and says as follows:

- 1. I am a Partner at Kaplan Fox & Kilsheimer LLP, counsel for the State Teachers' Retirement System of Ohio ("Ohio STRS") in the above captioned litigation, and am familiar with the proceedings therein. I make this Affidavit based on my personal knowledge of the facts set forth herein and in support of Ohio STRS's motion to admit Lawrence J. Lederer, Arthur M. Stock and Lane L. Vines as counsel *pro hac vice* to represent Ohio STRS in this litigation.
- 2. I am a member in good standing of the Bars of the States of New York and New Jersey. I am also admitted to the Bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
- 3. Lawrence J. Lederer is a shareholder in the law firm of Berger & Montague, P.C. in Philadelphia, Pennsylvania, and is a member in good standing of the Bars of the Commonwealth of Pennsylvania and the District of Columbia. An Affidavit from Mr. Lederer is attached as Exhibit A.
- 4. Arthur M. Stock is a shareholder in the law firm of Berger & Montague, P.C. in Philadelphia, Pennsylvania, and is a member in good standing of the Bar of the Commonwealth of Pennsylvania. An Affidavit from Mr. Stock is attached as Exhibit B.
- 5. Lane L. Vines is an associate in the law firm of Berger & Montague, P.C. in Philadelphia, Pennsylvania, and is a member in good standing of the Bars of the

Commonwealth of Pennsylvania and the State of New Jersey. An Affidavit from Mr. Vines is attached as Exhibit C.

- 6. I have found Messrs. Lederer, Stock and Vines to be skilled attorneys and persons of integrity, and to be experienced in Federal practice and familiar with the Federal Rules of Procedure.
- 7. Accordingly, I am pleased to move the admission *pro hac vice* of Messrs.

 Lederer, Stock and Vines, and respectfully submit a proposed Order for these admissions, which is attached hereto as Exhibit D.

WHEREFORE it is respectfully requested that the motion to admit *pro hac vice* Lawrence J. Lederer, Arthur M. Stock and Lane L. Vines be granted.

Dated: February 2, 2008 New York, New York

Joel B. Strauss

Sworn to and subscribed before me this day of February, 2008.

Notary Public

CHRISTINE M. FOX
Notary Public, State of New York
No. 02F05059572
Qualified in New York County
Commission Expires April 29,

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

LIFE ENRICHMENT FOUNDATION, individually and on behalf all others similarly situated,

CIVIL ACTION No. 07cv9633 (LBS)

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

MICHAEL J. SAVENA, individually and on behalf of all others similarly situated,

CIVIL ACTION No. 07cv9837 (LBS)

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

[Additional Captions on Following Page]

AFFIDAVIT OF LAWRENCE J. LEDERER

CIVIL ACTION No. 07cv10984 (LBS)

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

ROBERT R. GARBER, individually and on behalf of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

JAMES CONN, individually and on behalf of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, JEFFREY N. EDWARDS, LAWRENCE A. TOSI, ARMANDO M. CODINA, VIRGIS W. COLBERT, ALBERTO CRIBIORE, JOHN D. FINNEGAN, JUDITH MAYHEW JONAS, AULANA L. PETERS, JOSEPH W. PRUEHER, ANN N. REESE, and CHARLES O. ROSSOTTI,

Defendants.

CIVIL ACTION No. 07cv11080 (LBS)

) SS:

Commonwealth of Pennsylvania

County of Philadelphia

Lawrence J. Lederer, being duly sworn, hereby deposes and says as follows:

- 1. I am an attorney admitted to practice in the Commonwealth of Pennsylvania and the District of Columbia, and a shareholder in the law firm of Berger & Montague, P.C. Together with others from my firm and co-counsel, I am counsel for the State Teachers' Retirement System of Ohio ("Ohio STRS").
- 2. I make this Affidavit in support of Ohio STRS's motion for an Order to admit me *pro hac vice* in this action as counsel for Ohio STRS.
- 3. I am a member of the Bars of the Commonwealth of Pennsylvania and the District of Columbia. Attached as Exhibit 1 to this Affidavit are copies of Certificates of Good Standing from those Bars.
- There are no pending disciplinary proceedings against me in any State or
 Federal Court.

5. WHEREFORE, I respectfully request that I be permitted to appear as counsel and advocate *pro hac vice* in this litigation.

Dated: February 5, 2008

Lawrence I Lederer

Sworn to and subscribed before me this, 5 th day of February, 2008.

Notary Public

Nina L. Compression Express Apr. 2, 2009

Member, Pennsylvania Association of Notaries



Supreme Court of Pennsylvania

CERTIFICATE OF GOOD STANDING

Lawrence Jay Lederer, Esq.

DATE OF ADMISSION

November 27, 1987

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal Dated: January 11, 2008

Chief Clerk



Pistrict of Columbia Court of Appeals Committee on Admissions

500 Indiana Avenue, N.W. — Room 4200 Washington, D. C. 20001 202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia
Court of Appeals, do hereby certify that

Lawrence J. Lederer

was	on the	e _	23 rd		day d	of	Se	pte:	mber,	1988				
duly	y qual	ifi	ed	and	admi	tted	as	an	atto	rney	and	coun	selor	and
enti	itled	to	pra	acti	ce be	efore	th	is	Court	and	is,	on	the	date
indi	icated	bel	.OW,	an	activ	ve mer	mber	in	good	stand	ding	of th	is Ba	ır.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on January 11, 2008.

GARLAND PINKSTON, JR., CLERK

By: Ollica Deputy Clerk

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

LIFE ENRICHMENT FOUNDATION, individually and on behalf all others similarly situated,

CIVIL ACTION No. 07cv9633 (LBS)

Plaintiff,

٧.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

MICHAEL J. SAVENA, individually and on behalf of all others similarly situated,

CIVIL ACTION No. 07cv9837 (LBS)

Plaintiff,

ν.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

[Additional Captions on Following Page]

AFFIDAVIT OF ARTHUR M. STOCK

CIVIL ACTION No. 07cv10984 (LBS)

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

ROBERT R. GARBER, individually and on behalf of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

JAMES CONN, individually and on behalf of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, JEFFREY N. EDWARDS, LAWRENCE A. TOSI, ARMANDO M. CODINA, VIRGIS W. COLBERT, ALBERTO CRIBIORE, JOHN D. FINNEGAN, JUDITH MAYHEW JONAS, AULANA L. PETERS, JOSEPH W. PRUEHER, ANN N. REESE, and CHARLES O. ROSSOTTI,

Defendants.

CIVIL ACTION No. 07cv11080 (LBS)

Commonwealth of Pennsylvania

County of Philadelphia

Arthur M. Stock, being duly sworn, hereby deposes and says as follows:

) SS:

- 1. I am an attorney admitted to practice in the Commonwealth of Pennsylvania and a shareholder in the law firm of Berger & Montague, P.C. Together with others from my firm and co-counsel, I am counsel for the State Teachers' Retirement System of Ohio ("Ohio STRS").
- 2. I make this Affidavit in support of Ohio STRS's motion for an Order to admit me *pro hac vice* in this action as counsel for Ohio STRS.
- 3. I am a member of the Bar of the Commonwealth of Pennsylvania.

 Attached as Exhibit 1 to this Affidavit is a copy of a Certificates of Good Standing from that Bar.
- 4. There are no pending disciplinary proceedings against me in any State or Federal Court.
- 5. WHEREFORE, I respectfully request that I be permitted to appear as counsel and advocate *pro hac vice* in this litigation.

Dated: February _____, 2008

Athur M. Stock

Sworn to and subscribed before me this 5 day of February, 2008.

Notary Public



Supreme Court of Pennsylvania

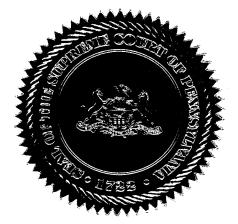
CERTIFICATE OF GOOD STANDING

Arthur Michael Stock, Esq.

DATE OF ADMISSION

May 15, 1992

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal Dated: January 11, 2008

Chief Clerk

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

LIFE ENRICHMENT FOUNDATION, individually and on behalf all others similarly situated,

CIVIL ACTION No. 07cv9633 (LBS)

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

MICHAEL J. SAVENA, individually and on behalf of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

[Additional Captions on Following Page]

CIVIL ACTION No. 07cv9837 (LBS)

AFFIDAVIT OF LANE L. VINES

CIVIL ACTION No. 07cv10984 (LBS)

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

ROBERT R. GARBER, individually and on behalf of all others similarly situated,

Plaintiff,

V.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

JAMES CONN, individually and on behalf of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, JEFFREY N. EDWARDS, LAWRENCE A. TOSI, ARMANDO M. CODINA, VIRGIS W. COLBERT, ALBERTO CRIBIORE, JOHN D. FINNEGAN, JUDITH MAYHEW JONAS, AULANA L. PETERS, JOSEPH W. PRUEHER, ANN N. REESE, and CHARLES O. ROSSOTTI,

Defendants.

CIVIL ACTION No. 07cv11080 (LBS)

Commonwealth of Pennsylvania) SS:
County of Philadelphia)

Lane L. Vines, being duly sworn, hereby deposes and says as follows:

1. I am an attorney admitted to practice in the Commonwealth of Pennsylvania and the State of New Jersey, and an associate in the law firm of Berger & Montague, P.C. Together with others from my firm and co-counsel, I am counsel for the State Teachers' Retirement System of Ohio ("Ohio STRS").

2. I make this Affidavit in support of Ohio STRS's motion for an Order to admit me *pro hac vice* in this action as counsel for Ohio STRS.

- 3. I am a member of the Bars of the Commonwealth of Pennsylvania and the State of New Jersey. Attached as Exhibit 1 to this Affidavit are copies of Certificates of Good Standing from those Bars.
- 4. There are no pending disciplinary proceedings against me in any State or Federal Court.
- 5. WHEREFORE, I respectfully request that I be permitted to appear as counsel and advocate *pro hac vice* in this litigation.

Dated: February 5, 2008

Lane L. Vines

Sworn to and subscribed before me this 5 day of February, 2008.

Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal Nina L. Fischer, Notary Public City Of Philadelphia, Philadelphia County My Commission Expires Apr. 2, 2009



Supreme Court of Pennsylvania

CERTIFICATE OF GOOD STANDING

Lane Lanier Vines, Esq.

DATE OF ADMISSION

December 22, 1997

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal

Patricia A. Johnson Chief Clerk

Supreme Court of New Jersey



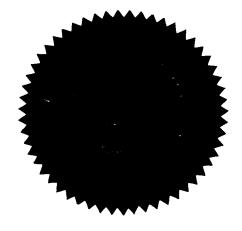
Certificate of Good Standing

This is to certify that LANE LANIER VINES

(No. 037051997) was constituted and appointed an Attorney at Law of New Jersey on December 15, 1997 and, as such, has been admitted to practice before the Supreme Court and all other courts of this State as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.

Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Supreme Court, at Trenton, this 11TH day of January , 20

Clerk of the Supreme Court

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

LIFE ENRICHMENT FOUNDATION, individually and on behalf all others similarly situated,

CIVIL ACTION No. 07cv9633 (LBS)

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

MICHAEL J. SAVENA, individually and on behalf of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

[Additional Captions on Following Page]

CIVIL ACTION No. 07cv9837 (LBS)

ORDER FOR ADMISSION PRO HAC VICE

CIVIL ACTION No. 07cv10984 (LBS)

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

ROBERT R. GARBER, individually and on behalf of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

JAMES CONN, individually and on behalf of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, JEFFREY N. EDWARDS, LAWRENCE A. TOSI, ARMANDO M. CODINA, VIRGIS W. COLBERT, ALBERTO CRIBIORE, JOHN D. FINNEGAN, JUDITH MAYHEW JONAS, AULANA L. PETERS, JOSEPH W. PRUEHER, ANN N. REESE, and CHARLES O. ROSSOTTI,

Defendants.

CIVIL ACTION No. 07cv11080 (LBS)

Upon the motion of Joel B. Strauss, counsel for the State Teachers' Retirement System of Ohio ("Ohio STRS") and said sponsor attorney's affidavit in support thereof;

IT IS HEREBY ORDERED that Lawrence J. Lederer, Arthur M. Stock and Lane L. Vines, of the law firm of Berger & Montague, P.C., 1622 Locust Street, Philadelphia, PA 19103, are admitted to practice *pro hac vice* as counsel for Ohio STRS in the above-captioned litigation in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: February ____, 2008 New York, New York

United States District/Magistrate Judge

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

LIFE ENRICHMENT FOUNDATION, individually and on behalf all others similarly situated,

CIVIL ACTION No. 07cv9633 (LBS)

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

MICHAEL J. SAVENA, individually and on behalf of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

[Additional Captions on Following Page]

CIVIL ACTION No. 07cv9837 (LBS)

PROOF OF SERVICE

CIVIL ACTION No. 07cv10984 (LBS)

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

ROBERT R. GARBER, individually and on behalf of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

JAMES CONN, individually and on behalf of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, JEFFREY N. EDWARDS, JEFFREY N. EDWARDS, LAWRENCE A. TOSI, ARMANDO M. CODINA, ALBERTO CRIBIORE, JOHN D. FINNEGAN, JUDITH MAYHEW JONAS, AULANA L. PETERS, JOSPEH W. PRUEHER, ANN N. REESE, and CHARLES O. ROSSOTTI,

Defendants.

CIVIL ACTION No. 07cv11080 (LBS)

I, Joel B. Strauss, hereby certify that on February 8, 2008, I caused the following documents:

- Motion to Admit Counsel Pro Hac Vice; and
- Affidavit of Joel B. Strauss in Support of Motion to Admit Counsel Pro Hac Vice

to be filed with the Court and caused paper copies of the same to be sent via first-class mail postage pre-paid to counsel on the attached Service List.

Joel B. Strauss, Esq.

Dated: February 8, 2008

Service List

Jack Gerald Fruchter

Abraham Fruchter & Twersky LLP One Penn Plaza **Suite 1910** New York, NY 10119 212-279-5050 212 279-3655 (fax) JFruchter@FruchterTwersky.com

Assigned: 10/30/2007 LEAD ATTORNEY

ATTORNEY TO BE NOTICED

representing

Life Enrichment Foundation (Plaintiff)

Marc Ian Gross

Pomerantz Haudek Block Grossman & Gross LLP 100 Park Avenue, 26th Floor New York, NY 10017 (212)661-1100 (212) 661-8665 (fax) migross@pomlaw.com Assigned: 12/31/2007

representing

James Conn (Movant)

Christopher J. Keller

Labaton Sucharow, LLP 140 Broadway New York, NY 10005 (212) 907-0853 (212) 883-7053 (fax) ckeller@labaton.com Assigned: 12/31/2007 LEAD ATTORNEY ATTORNEY TO BE NOTICED

ATTORNEY TO BE NOTICED

representing

Frankfurt Trust (Movant)

David Avi Rosenfeld Samuel Howard Rudman

Coughlin, Stoia, Geller, Rudman & Robbins, LLP(LIs) 58 South Service Road Suite 200

representing

Life Enrichment Foundation (Plaintiff)

Melville, NY 11747 631-367-7100 631-367-1173 (fax) drosenfeld@csgrr.com srudman@csgrr.com Assigned: 10/30/2007 LEAD ATTORNEY ATTORNEY TO BE NOTICED